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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

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UNITED STATES OF AMERICA, ex rel.  
GERALD POLUKOFF, M.D.,

Plaintiff/Relator,

v.

ST. MARK'S HOSPITAL;  
INTERMOUNTAIN HEALTHCARE,  
INC.; INTERMOUNTAIN MEDICAL  
CENTER; SHERMAN SORENSEN,  
M.D., and SORENSEN  
CARDIOVASCULAR GROUP,

Defendants.

MEMORANDUM DECISION  
AND ORDER OVERRULING  
OBJECTION OF MAGISTRATE  
JUDGE DECISION

Case No. 2:16-CV-304-TS-EJF

District Judge Ted Stewart

This matter is before the Court on Defendants' Objection of Magistrate Judge Order Awarding Attorneys' Fees and Costs to Relator dated December 31, 2019.<sup>1</sup> For the reasons discussed below, the Court will overrule the objection.

Under 28 U.S.C. § 636(b)(1)(A) and Rule 72(a) of the Federal Rules of Civil Procedure, the Court reviews a Magistrate Judge's orders on nondispositive matters under a clearly erroneous or contrary to law standard.<sup>2</sup> "The clearly erroneous [or contrary to law] standard . . . requires that the reviewing court affirm unless it 'on the entire evidence is left with the definite and firm conviction that a mistake has been committed.'"<sup>3</sup>

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<sup>1</sup> Docket No. 385.

<sup>2</sup> 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a).

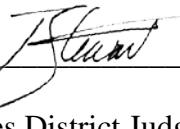
<sup>3</sup> *Ocelot Oil Corp. v. Sparrow Indus.*, 847 F.2d 1458, 1464 (10th Cir. 1988) (quoting *United States v. United States Gypsum Co.*, 333 U.S. 364, 395 (1948)).

The Court has carefully reviewed the Magistrate Judge's Order, Defendants' objection thereto, the underlying briefing, and the relevant case law. Having done so, the Court cannot conclude that the Magistrate Judge's decision was clearly erroneous or contrary to law. It is therefore

ORDERED that Defendants' objection (Docket No. 385) is OVERRULED.

DATED this 25th day of February, 2020.

BY THE COURT:



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Ted Stewart  
United States District Judge